

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DAN DEWAYNE NEWCOMB

PLAINTIFF

v.

No. 4:20CV105-GHD-RP

TOMMY TAYLOR, ET AL.

DEFENDANTS

**ORDER DENYING PLAINTIFF'S MOTION [50] FOR SUBPOENA DUCES TECUM;
DENYING PLAINTIFF'S MOTION [52] FOR DEFAULT JUDGMENT;
DENYING PLAINTIFF'S MOTION [57] TO COMPEL**

This matter comes before the court on the plaintiff's Motion [50] for a Subpoena Duces Tecum; Motion [52] for Default Judgment, and [57] Motion to Compel. For the reasons set forth below, the motions [50], [52], [57] will be denied.

Motion [50] for Subpoena Duces Tecum

The plaintiff requests the court to order the Southern Poverty Law Center to produce "documents, letters, forms and records in their possession which are material evidence in the matter before the court." Doc. 50 at 1. As the plaintiff has not identified the items he seeks, the motion will be denied.

Motion [52] for Default Judgment

The plaintiff also requests the court to enter judgment in his favor under Fed. R. Civ. P. 37(b)(2)(A)(vi) and 16(f)(1)(C), alleging that the defendants have not produced all relevant discovery material as set forth in the court's scheduling order. As the defendants have moved for summary judgment, based largely upon procedural grounds, discovery regarding the merits of this case may not be necessary. The instant motion will therefore be denied without prejudice. Should the case proceed past the summary judgment stage, the plaintiff may renew the motion.

Motion [57] to Compel

The plaintiff also seeks [57] an order from the court requiring the prison to permit him a subscription to "Prison Legal News," which he uses to prepare legal documents. The prison has refused to permit him to order the subscription, stating that he must have family members (or someone else in the Free World) order the subscription for him. As he does not have support outside of prison, he wishes to order the subscription himself. This court has, however, found the MDOC Inmate Legal Assistance Program to be sufficient to fulfill the inmates' legal assistance needs. As such, the motion [57] will be denied.

For the reasons set forth above, the instant motions [50], [52], [57] are **DENIED**.

SO ORDERED, this, the 16 day of May, 2022.



SENIOR JUDGE